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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,629	08/03/2001	Jay Levenson	011151	7517
23464	7590	03/22/2006	EXAMINER	
BUCHANAN INGERSOLL, P.C. ONE OXFORD CENTRE, 301 GRANT STREET 20TH FLOOR PITTSBURGH, PA 15219			BAYAT, BRADLEY B	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/921,629	Applicant(s) LEVENSON ET AL.	
	Examiner Bradley B. Bayat	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication:
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/27/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

This communication is in response to remarks and amendment filed on December 27, 2005.

- Claims 1-9 and 11-30 are currently pending.
- Claims 1, 16 and 25 are independent claims.

Response to Arguments

Applicant's arguments filed on the above referenced date have been fully considered but they are not persuasive.

As per claim 1, applicant argues, “there is no mention of the cards in Blagg being linked to a bank account different from the account present for each individual card (response p. 9).” Applicant further states, “no financial institution or bank currently allows the linking of an individual credit card account to a bank account.” Id. at 10.

The examiner respectfully disagrees. Blagg discloses that an “individual can hold a number of different cards corresponding to a number of different accounts [0065].” Each of the accounts can be independent of each other and linked together to form many different kinds of relationships [0066-0075]. As Blagg discloses, linking accounts to each other can form a group with varying relationship parameters. Id.

Furthermore, applicant’s argument that Blagg fails to disclose one or more subordinate purchasing card accounts linked to a master purchasing card account is without merit. As illustrated in Figures 4 and accompanying text, a master card account may be linked to other subordinate card accounts.

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Applicant contends that although Blagg discloses authorization of financial transactions, it does not specifically disclose transfer of funds between accounts (response p. 11). In fact, Blagg discloses various transaction authorizations between accounts, one of which is applying a payment in paragraphs 0143-0154. Thus, a master account holder can apply a payment or transfer of funds to any other account in the linked network.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies in the arguments are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-9, 11-23 and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Blagg (US 2003/0120571 A1).

As per the following claims; Blagg discloses:

1. A system for the payment of petty cash disbursements comprising:

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- one or more master purchasing card accounts linked to a bank account (§0055-0056, 0069, 0072, linking accounts; §0062, issuer is typically a financial institution or bank); and
 - one or more subordinate purchasing card accounts linked to one of said master purchasing card accounts or to other subordinate purchasing card accounts linked, directly or indirectly, to one of said master purchasing card accounts (§0071-0075, 0090-0094, dependent linked accounts); wherein the owner of said bank account may authorize the transfer of funds to any master purchasing card account to cover purchases made using that master purchasing card account or any subordinate purchasing card account linked to that master purchasing card account (§0075-0078, 0104, 0126); and wherein the owner of any of said purchasing card accounts may authorize the movement of funds from its own account to any subordinate purchasing card account having a link thereto (§0134-0142, authorizing a transaction; 0143-0154, applying a payment).
2. The system of claim 1 wherein each of said purchasing cards has an expenditure limit (§0016).
3. The system of claim 1 wherein any of said purchasing cards may create and break links to or from subordinate purchasing cards (§0080, 0085, de-linked account).
4. The system of claim 2 wherein requests for the modification of the said expenditure limit for any subordinate card and the authorization of said modification can be accomplished in real time

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(¶0136).

5. The system of claim 4 wherein said requests and said authorizations are facilitated by a web site available over the Internet (¶0059-0062).

7. The system of claim 2 further comprising a software application running on a computer system (¶0058-0059).

8. The system of claim 7 wherein said software application may establish communications with outside entities (¶0058-0059).

9. The system of claim 8 wherein said communications with outside entities are: encrypted prior to sending and decrypted after receiving to ensure data integrity and security; and entered into a log file for audit and customer support purposes (fig 7B, 754-760, authorization and approval).

11. The system of claim 9 wherein said software application establishes communication with a bank, said bank maintaining said bank account (¶0062, 0063).

12. The system of claim 11 wherein said software application initiates a transaction at said bank to move funds between said bank account and said purchasing cards to cover expenditures made using said purchasing cards (¶0016, 0035, 0104, 0126).

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13. The system of claim 9 wherein said software application establishes communications with a credit card processor (¶0058).

14. The system of claim 13 wherein said software application can instruct said credit card processor to modify said expenditure limit for any of said purchasing cards (¶0062, 0121, 0136, 0153, 0181).

15. The system of claim 13 wherein said credit card processor exchanges data with said software application, said exchange data advising said software application of purchases made using any of said purchasing cards (¶0129-0131, data exchanged/updated).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 24 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blagg (US 2003/0120571 A1), in view of Madan et al., U.S. Patent 6,581,035 B1.

Blagg discloses a system/method/computerized system wherein one or more master purchasing card accounts linked to a bank account (¶0055-0056, 0069, 0072, linking accounts; ¶0062, issuer is typically a financial institution or bank); and one or more subordinate purchasing card accounts linked to one of said master purchasing card accounts or to other subordinate purchasing card accounts linked, directly or indirectly, to one of said master purchasing card

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accounts (§0071-0075, 0090-0094, dependent linked accounts); wherein the owner of said bank account may authorize the transfer of funds to any master purchasing card account to cover purchases made using that master purchasing card account or any subordinate purchasing card account linked to that master purchasing card account (§0075-0078, 0104, 0126); and wherein the owner of any of said purchasing card accounts may authorize the movement of funds from its own account to any subordinate purchasing card account having a link thereto (§0134-0142, authorizing a transaction; 0143-0154, applying a payment).

Blagg does not explicitly disclose the use of voice recognition software and technology to accomplish such transactions.

Madan et al., however, teaches a system and method for voice-enabled transactions wherein user instructions, commands and ultimately transactions can be accomplished utilizing the user's voice (see abstract; figure 2 and associated text). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Blaggs' system and method for performing financial transactions to utilize Madan's voice-recognition mechanism to provide another method of identity verification and authentication so as to provide an additional means to prevent fraud, especially with regards to financial transactions, as per teachings of Madan et al.

Claims 16-27, 29 and 30 are directed to a system and method as recited above and are similarly rejected.

Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the

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teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Pays et al., An intermediation and payment system technology, 1996, Elsevier Science B.V., Computer Networks and ISDN Systems, pp.1197-1206.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The

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examiner can normally be reached on Tuesday - Friday 8 a.m.-6:30 p.m. and by email:

bradley.bayat@uspto.gov.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached regarding urgent matters at 571-272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

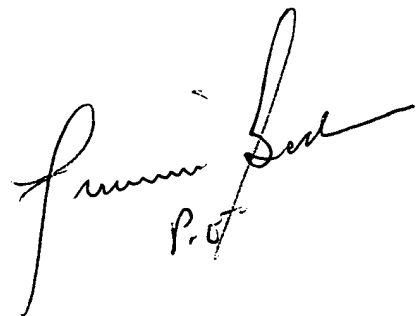
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(571) 273-8300 - Official communications; including After Final responses.

(571) 273-6704 - Informal/Draft communications to the examiner.

A handwritten signature in black ink, appearing to read "James Trammell" with "P.G." written below it. The signature is stylized and cursive.